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1103326-0786



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

: Ferenc Buzsaky

Serial No.

: TBA

Filed

: January 31, 2005

For

: NEW FILM COATING

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Group Art Unit

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Express Mail Label: EL 608115181 US

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## **INFORMATION DISCLOSURE STATEMENT**

MAIL STOP PCT Commissioner for Patents Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant submits this communication in compliance with 37 C.F.R. §§1.56, 1.97 and 1.98. Favorable consideration of the documents cited on the attached Form PTO/SB/08A is respectfully requested.

The referenced application is the U.S. national stage application of international application no. PCT/GB03/03195, filed July 28, 2003 ("the PCT application"). The documents identified on the attached Form PTO/SB/08A include documents cited in the specification of the referenced application, the International Search Report ("ISR"), and/or International Preliminary Examination Report ("IPER") which issued in connection with the PCT application. Copies of

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the published PCT application having the International Publication Number WO 2004/012718, the ISR and the IPER are included with this filing. The ISR is attached to and part of the published PCT application.

On the attached Form PTO/SB/08A, Applicant has cited US 5,292,522, which is an English-language member belonging to the same patent family as EP 403,959, published in the German language and cited in the specification of the instant application. Accordingly, Applicant is not providing a separate copy of EP 403,959.

## Copies of Cited U.S. Patent Documents are Not Provided

As announced in the Official Gazette of August 5, 2003, the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003 has been waived.

Accordingly, copies of the U.S. patents and/or published patent applications cited on the attached Form PTO/SB/08A are not provided with this Information Disclosure Statement.

## Time of Transmittal of Information Disclosure Statement

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b)(2) concurrently with the entry of a national stage application under 37 C.F.R. § 1.491 and therefore no fee should be due. However, if any fee is required, the Assistant Commissioner is authorized to charge such fee to Deposit Account No. 23-1703.

Dated: Jan. 31, 2005

Respectfully submitted,

Andrew Fessak, Reg. No. 48,528

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TBA TBA Substitute for form 1449/PTO Application Number January 31, 2005 Filing Date INFORMATION DISCLOSURE First Named Inventor Ferenc Buzsaky STATEMENT BY APPLICANT Art Unit **TBA** (Use as many sheets as necessary) **Examiner Name TBA** 1103326-0786 Sheet Attorney Docket Number

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages/Figures Appear
		US-4,784,858	11-15-1988	Ventouras	
		US-5,292,522	03-08-1994	Petereit et al.	
		US-5,478,573	12-26-1995	Eichel et al.	
		US-5,871,776	02-16-1999	Mehta	

		FOREIGN	PATENT DOC	UMENTS				
Examiner Initials	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear			
		WO 02/058677-A1	08-01-2002	Hölzer et al.				
		WO 03/051340-A1	06-26-2003	Hjartstam et al.		F		
	<b>_ 1</b>	NON PATENT	LITERATURE 1	DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETT serial, symposium, catalog, etc.), date, pa	ERS), title of the article	e (when appropriate), title of t		Т		
		LIN et al., AAPS Pharmasci., volume 3	(2), article 14, 2001	l, pages 1-12.				
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		SANDBERG et al., Pharmaceutical Research, vol. 10, pages 28-34 (1993).						
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	INFORMATION	DICCI OCUDE	Filing Date	January 31, 2005	*-		
	INFORMATION DISCLOSURE		First Named Inventor	Ferenc Buzsaky			
	STATEMENT BY	APPLICANT	Art Unit	TBA			
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Sheet	2	of 2	Attorney Docket Number	1103326-0786			

		NON PATENT LITERATURE DOCUM	ENTS		
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appr serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), pub			Т
		SANDBERG et al., Drug Invest., vol. 6, pages 320-329 (1993).			
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